

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

ELMER WILSON,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner  
of Social Security,

Defendant.

---

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

Civil Case No. 07-165-HU

O R D E R

Karin J. Immergut  
United States Attorney  
District of Oregon  
Neil J. Evans  
Assistant United States Attorney  
1000 SW Third Avenue, Suite 600  
Portland, Oregon 97204-2902

Terrye Erin Shea  
Social Security Administration  
Office of the General Counsel  
701 Fifth Avenue  
Suite 2900 M/S 901  
Seattle, Washington 98104

Attorneys for Plaintiff

Rory Joseph Linerud  
Linerude Law Firm  
P. O. Box 1105  
Salem, Oregon 97308-1105

Attorney for Defendant

KING, Judge:

The Honorable Dennis J. Hubel, United States Magistrate Judge, filed Findings and Recommendation on February 20, 2008. The matter is before this court. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. Lorin Corp. v. Goto & Co., Ltd., 700 F.2d 1202, 1206 (8th Cir. 1983); See also Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Hubel's Findings and Recommendation (#15).

IT IS HEREBY ORDERED that the ALJ's decision is REVERSED and REMANDED for further proceedings.

DATED this 20<sup>th</sup> day of March, 2008.

/s/ Garr M. King

GARR M. KING  
United States District Judge